File No. 37370

BEFORE THE COMMON COUNCIL OF THE CITY OF ELGIN
UNION COUNTY, STATE OF OREGON

In the Matter of the Application of the State of Oregon, by and through its State Highway Commission, to purchase certain right of way in the City of Elgin, Union County, for the Grande Ronde River Section of the Wallowa Lake Highway.	RESOLUTION No. 4 SERIES 1965

WHEREAS, the State of Oregon, by and through its State Highway Commission, has applied to the City of Elgin for right of way for use upon the Grande Ronde River Section of the Wallowa Highway, over and across certain lands belonging to the City of Elgin, hereinafter more particularly described, and,

WHEREAS, the Common Council of the City of Elgin being of the opinion that it will be to the best interests of the City of Elgin, as well as to the State of Oregon, by and through its State Highway Commission, that the hereinafter described right of way be conveyed to the State of Oregon at a reasonable consideration,

THEREFORE, BE IT RESOLVED by the Common Council of the City of Elgin, sitting in regular session upon this 14TH day of SEPTEMBER, 1965, that the hereinafter described lands be deeded to the State of Oregon, by and through its State Highway Commission, for the consideration of the sum of Seventy and No/100 Dollars ($70.00), and other valuable consideration, and that the said Council pass an Ordinance authorizing the execution and delivery to the State of Oregon, by and through its State Highway Commission, of a good and sufficient bargain and sale deed, conveying to the State of Oregon, by and through its State Highway Commission, the following described lands in the City of Elgin, Union County, State of Oregon, to wit:

A parcel of land lying in the NE¼ of Section 22, Township 1 North, Range 39 East, W.M., Union County, Oregon, and being a portion of that property described in that deed to City of Elgin, recorded in Book 115, Page 133, of Union County Records of Deeds; the said parcel being that portion of said property included in a strip of land 50 feet in width, lying on the Westerly side of the center line of the Wallowa Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 999+81.31, said Station being 1815.29 feet North and 1449.10 feet East of the South quarter corner of said Section 22; thence on a spiral curve left (the long chord of which bears North 2° 21' East) 500 feet; thence on a 1909.86 foot radius curve left (the long chord of which bears North 6° 03' West) 226.67 feet; thence on a spiral curve left (the long chord of which bears North 14° 27' West) 500 feet; thence North 16° 57' West, 450.46 feet; thence on a spiral curve right (the long chord of which bears North 15° 27' West) 300 feet; thence on a 1909.86 foot radius curve right (the long chord of which bears North 8° 55' 15" West) 235.28 feet; thence on a spiral curve right (the long chord of which bears North 2° 23' 30" West) 300 feet; thence North 0° 53' 30" West, 2506.28 feet to Engineer's Station 1050+00.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 0.07 acre.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the Grantee all existing, future or potential common law or statutory abutter's easements of access between the parcel herein described and all of the Grantor's remaining real property;

Reserving, however, for service of the said remaining property, right of access from Grantor's remaining property to the highway right of way, at the following place and for the following width:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
1032+98	Westerly	35 feet	Unrestricted

Grantee has the right to construct or otherwise provide at any future time a public frontage road or roads; whereupon all rights of access hereinabove reserved to and from the highway that are on or adjacent to any such frontage road or roads shall cease, but the Grantor, its successors and assigns, shall have access to the frontage road or roads for any purpose upon obtaining a permit from the State under the applicable statutes and regulations governing the same. Said road or roads shall be connected to the main highway or to other public ways only at such places as the Grantee may select.

ADOPTED by the Common Council of the City of Elgin this 14TH day of SEPTEMBER, 1965.

Loyd C. Spicer
Mayor

Ethel D. Hunt
Recorder

tk/rw